

## AMENDMENT TO THE CLAIMS

1. (Previously presented) A method for dispensing a substitute product, comprising:  
receiving a selection of a first product from a purchaser;  
determining an expiration date associated with each of a plurality of products;  
determining a substitute product comprising one of the plurality of products  
associated with the earliest of the determined expiration dates; and  
if the first product is not available:  
retrieving a substitute product identifier corresponding to the substitute  
product; and  
offering the substitute product to the purchaser.
2. (Previously presented) The method of claim 1, further comprising:  
receiving an amount of money from the purchaser.
- 3-5. (Cancelled)
6. (Original) The method of claim 1, further comprising:  
determining an availability of the first product.
7. (Original) The method of claim 1, further comprising:  
recording a value corresponding to the selection of the first product.
8. (Original) The method of claim 7, wherein the value includes one of: a first  
product identifier corresponding to the first product, a time the first product was selected,  
a date the first product was selected and an availability of the first product.
9. (Previously presented) The method of claim 1, further comprising:  
storing, for the first product, the substitute product identifier corresponding to the  
substitute product.

10-16. (Cancelled)

17. (Currently amended) The method of claim 1, wherein the offering step further comprises:

offering, in consideration of the consumer's acceptance of the substitute product, the substitute product to the consumer at a discounted price.

18-29. (Cancelled)

30. (Original) The method of claim 1, wherein the first product is a service.

31. (Original) The method of claim 1, wherein the substitute product is a service.

32. (Original) A method for dispensing a substitute product, comprising:  
measuring a demand for each of a plurality of products;  
determining from the demand a substitute product for a first product; and  
storing, for the first product, a substitute product identifier corresponding to the substitute product.

33. (Original) The method of claim 32, further comprising:  
receiving a selection of the first product;  
determining an availability of the first product; and  
offering the substitute product if the first product is unavailable.

34. (Original) The method of claim 33, wherein the step of offering the substitute product further comprises:  
offering the substitute product at a discounted price.

35-50. (Cancelled)

51. (Original) The method of claim 32, wherein the first product is a service.

52. (Original) The method of claim 32, wherein the substitute product is a service.
53. (Original) A method for dispensing a substitute product, comprising:  
determining an average selection time;  
detecting a purchaser;  
measuring a time from a detection of the purchaser; and  
if the time is greater than the average selection time;  
offering a first product to the purchaser.
54. (Original) The method of claim 53, wherein the detecting step is performed by at least one of:  
a motion detector, an infrared detector, an acoustic signal detector, and a pressure detector.
55. (Original) The method of claim 53, further comprising:  
measuring a first product demand corresponding to the first product; and  
measuring a demand for each of a plurality of remaining products; and  
comparing the first product demand to the demand for each of the plurality of remaining products.
56. (Original) The method of claim 55, wherein the offering step further comprises:  
offering the first product to the purchaser if the first product demand is greater than the demand for each of the plurality of remaining products.
57. (Original) The method of claim 55, wherein the offering step further comprises:  
offering the first product to the purchaser if the first product demand is lower than the demand for each of the plurality of remaining products.
58. (Original) The method of claim 53, further comprising:  
storing a first product expiration date corresponding to the first product; and

storing at least one expiration date corresponding to each of a plurality of remaining products.

59. (Original) The method of claim 58, further comprising:  
offering the first product to the purchaser if the first product expiration date is earlier than the at least one expiration date.

60. (Original) The method of claim 53, wherein the first product is a predetermined product.

61. (Original) The method of claim 53, wherein the first product is a service.

62-75. (Cancelled)

76. (Previously presented) An apparatus comprising:  
a vending machine; and  
a device in communication with the vending machine,  
in which the apparatus is operable to  
receive a selection of a first product from a purchaser;  
determine an expiration date associated with each of a plurality of products;  
determine a substitute product comprising one of the plurality of products associated with the earliest of the determined expiration dates;  
retrieve a substitute product identifier corresponding to the substitute product; and  
offer the substitute product to the purchaser.

77. (Original) The apparatus of claim 76, in which the device is operable to:  
receive payment from a purchaser.

78. (Original) The apparatus of claim 77, in which the device is operable to:

instruct the vending machine that payment has been received.

79. (Original) The apparatus of claim 76, in which the device is operable to:  
receive data via a network.
80. (Currently amended) The apparatus of claim ~~80~~ 76, in which the device is  
operable to:  
display to a purchaser data received via the network.
81. (Original) The apparatus of claim 76, in which the device is operable to:  
receive input from a purchaser.
82. (Original) The apparatus of claim 81, in which the device is operable to:  
receive input from a purchaser via a touch screen.
83. (Cancelled)
84. (Previously presented) The method of claim 32, wherein the measuring of the  
demand for each of the plurality of products comprises:  
determining a first demand for a second product from the plurality of products.
85. (Previously presented) The method of claim 84, wherein the measuring of the  
demand for each of the plurality of products further comprises:  
determining a second demand for a third product from the plurality of products.
86. (Previously presented) The method of claim 85, wherein the determining of the  
substitute product comprises:  
comparing the first and second demands; and  
selecting, based on the comparing and on a pre-defined demand criteria, one of  
the second and third products to be the substitute product.

87. (Previously presented) The method of claim 86, wherein the pre-defined demand criteria comprises a rule that the substitute product be associated with a lower one of the first and second demands.

88. (Previously presented) The method of claim 86, wherein the pre-defined demand criteria comprises a rule that the substitute product be associated with a higher one of the first and second demands.

89. (Previously presented) The method of claim 84, wherein the determining of the substitute product comprises:

determining that the first demand of the second product satisfies a pre-defined condition; and

selecting the second product to be the substitute product.

90. (Previously presented) The method of claim 89, further comprising:

determining, based on the first demand of the second product, a discounted price at which the second product should be offered as the substitute product.

91. (Previously presented) The method of claim 32, wherein the demand is measured based at least in part on the number of times each of the plurality of products has been selected by a consumer.

92. (New) A method, comprising:

determining at least one upsell price, said upsell price corresponding to an upsell product;

generating a credit amount, the credit amount representing an amount of currency deposited in a vending machine;

determining a product identifier corresponding to a product selected by a consumer;

determining a product price corresponding to the selected product;

determining a round-up amount representing a difference between the credit amount and the product price;  
determining that the round-up amount corresponds to the at least one upsell price,  
determining the upsell product that corresponds to the at least one upsell price,  
and  
outputting a signal indicative of the upsell product.

93. (New) A method, comprising:

determining a presence of a purchaser in proximity to a vending machine;  
determining an amount of money provided by the purchaser;  
determining a time between the determining of the presence of the purchaser and the determining of the amount of money provided by the purchaser;  
storing a value indicative of the time;  
determining a selection of a first product by the purchaser;  
determining, after the determining of the selection, that the first product is not available,  
determining, after the determining that the first product is not available, a substitute product identifier corresponding to a substitute product;  
offering the substitute product to the purchaser;  
determining that the purchaser accepts the offer for the substitute product; and  
dispensing, after the determining of the acceptance of the offer by the purchaser, the substitute product.

94. (New) A method, comprising:

receiving, by a vending machine and from an operator, an operator access code;  
prompting, via the vending machine, the operator for an operator authorization code corresponding to the operator access code;  
receiving, by the vending machine, the operator authorization code;  
validating the operator access code and the operator authorization code;  
receiving, after the validating and from the operator, inventory data and suggestive sell data; and

storing the inventory data and the suggestive sell data.

95. (New) A method, comprising:

tracking, by a vending machine, which product of a plurality of products offered for sale by the vending machine is most often selected as an alternate product when a customer makes an initial selection for an unavailable product and then selects and purchases a substitute product; and

storing, by the vending machine, a substitute product identifier that comprises a product identifier associated with the product of the plurality of products offered for sale by the vending machine that is most often selected as an alternate product.